

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ERIC J. ENGBERG,

Plaintiff,

v.

CASE NO.: 8:10-cv-1775-T-23MAP

U.S. DEPARTMENT OF JUSTICE,

Defendant.

\_\_\_\_\_ /

**ORDER**

The plaintiff seeks (Doc. 1) judicial review of the Department of Justice's denial of a Freedom of Information Act (FOIA) request. A March 2, 2011, order (Doc. 10) refers to Magistrate Judge Mark A. Pizzo for a report and recommendation the defendant's motion for summary judgment (Doc. 9) and the plaintiff's cross-motion for summary judgment. (Doc. 12)

Magistrate Judge Pizzo recommends (Doc. 21) granting the defendant's motion for summary judgment because FOIA exemptions at 5 U.S.C. § 552(b)(3), (5), (6), and 7(C) protect from disclosure extensive information within the disputed document, a "Report of Investigation" authored by the Department. Further, Magistrate Judge Pizzo finds that exempt information sufficiently permeates the document and renders "meaningful segregation impossible." The plaintiff failed to object to the recommendation.

The report and recommendation (Doc. 21) is **ADOPTED**. The defendant's motion for summary judgment (Doc. 9) is **GRANTED** and the plaintiff's cross-motion for summary judgment (Doc. 12) is **DENIED**. The Clerk is directed to (1) enter judgment in favor of the defendant and against the plaintiff, (2) terminate any pending motion, and (3) close the case.

ORDERED in Tampa, Florida, on September 27, 2011.

A handwritten signature in black ink, appearing to read "Steven D. Merryday", is written above a horizontal line.

STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE